

TRAFFICKING VICTIMS PROTECTION ACT (2000)

Legal Protection for Immigrant Survivors of Human Trafficking

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<p>What is human trafficking?</p> <p>Human trafficking is often referred to as modern day slavery. It involves compelling an individual to perform labor, services, or commercial sexual acts against his or her will through force, fraud or coercion. Trafficked individuals have been found throughout the country in cities, suburbs and rural areas. Victims of trafficking in Illinois, Wisconsin and Indiana include those forced to work in factories, restaurants, farms, homes, brothels, strip clubs, and massage parlors, among other locations.</p>	<p>How does the National Immigrant Justice Center (NIJC) help survivors of human trafficking?</p> <p>NIJC provides comprehensive immigration legal services which enable survivors to secure protection from deportation and reunite with qualifying family members. NIJC provides referrals to partner agencies for social and mental health services. NIJC is committed to enabling clients to move towards autonomy by helping them achieve status and access the services necessary to break free from their traffickers and participate fully in the community.</p>	<p>A T Visa is special immigrant visa available for foreign born survivors of human trafficking. An individual may be eligible for a T visa if she:</p> <ol style="list-style-type: none"> 1. is a victim of a severe form of human trafficking; 2. is physically present in the United States on account of the trafficking; 3. has complied with any reasonable requests for assistance in the investigation or prosecution of acts of trafficking, unless the victim is under the age of eighteen or is unable to cooperate due to physical or psychological trauma;* and 4. would suffer extreme hardship involving unusual and severe harm if she were removed from the United States. <p><i>* Law enforcement agency endorsement is primary evidence of an applicant's compliance with requests. A formal endorsement is not required, but is the best evidence to establish that an applicant has satisfied the cooperation requirement.</i></p>
<p>NIJC provides comprehensive services to child and adult immigrant survivors of human trafficking.</p>		
<p>What is the Trafficking Victims Protection Act (TVPA)?</p> <p>In 2000, Congress passed the TVPA to "ensure just and effective punishment of traffickers, and to protect their victims." The TVPA enabled an increase in the prosecution of human trafficking offenses through the definition of new crimes and created opportunities for short and long-term immigration relief for foreign born trafficking survivors. The TVPA was re-authorized in 2003, 2005, 2008, and 2013.</p> <p>What is a T Visa?</p> <p>A T Visa is a special immigrant visa for foreign born victims of human trafficking.</p> <p>What are the benefits of a T Visa?</p> <ul style="list-style-type: none"> • Eligible immigrants receive authorization to remain in the United States, employment authorization, and access to public services and benefits. • Special protections exist for child survivors of human trafficking. • After three years, T visa recipients may apply for lawful permanent resident status. 	<p>Facts on Human Trafficking</p> <ul style="list-style-type: none"> • Reliable statistics related to human trafficking are difficult to find because trafficking is a clandestine crime. Few survivors come forward for fear of retaliation, shame, or lack of understanding of what has happened. • Although men are also victims, women and children are especially at risk for being trafficked. • Despite its suggestion, human trafficking does not require the movement of a person from one country to another. <p>If you know someone who may be a victim, or for general information please call:</p> <p>National Immigrant Justice Center Counter-Trafficking Project</p> <p>(773) 672 - 6606 Monday - Friday 8:30 a.m. - 5:00 p.m.</p>	

This Fact Sheet is not intended as legal advice. It is advisable to consult an immigration attorney to determine whether you are eligible for a T Visa or other immigration relief.